

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA, DAMAN AND DIU

### GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

#### Notification

1-2-82-PER(Part)

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, read with the Government of India, Ministry of External Affairs, New Delhi Notification No. F.7(11)/62- Goa dated the 25th July, 1963, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules amending the Government of Goa, Daman and Diu, Office of the Commandant General Home Guards and Director of Civil Defence, Panaji, Group 'C' (Non-ministerial Non-Gazetted) post of Platoon Commander, Recruitment Rules, 1984 issued under Notification of even number dated the 13th September, 1984 and published in the Official Gazette, Series I, No. 26 dated the 27th September, 1984 namely: —

1. *Short title and commencement.* — (i) These rules may be called the Government of Goa, Daman and Diu, Office of the Commandant General Home Guards and Director of Civil Defence, Panaji, Group 'C' (Non-Ministerial Non-Gazetted) post Recruitment (First amendment) Rules, 1985.

(ii) They shall come into force at once.

2. In the schedule attached to the said Notification the existing entry, under column 10 shall be substituted as follows: —

i) 50% by promotion failing which by transfer on deputation failing both by direct recruitment.

ii) 50% by re-employment of ex-servicemen failing which by nomination of Honorary Platoon Commander failing which by transfer on deputation failing all by direct recruitment.

By order and in the name of the Administrator of Goa, Daman and Diu.

N. P. Gannekar, Under Secretary (Personnel).

Panaji, 4th November, 1985.

Power, Supply and Welfare Department

#### ORDER

3-7/68-69/FCS-LAWD/80-Vol.II

In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) read with the Government of India, Ministry of Agriculture (Department of Food) Order No. G.S.R. No. 316(E) dated the 20th June, 1972 and with the prior approval of the Central Government, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following Order so as to further amend the Goa, Daman and Diu Foodstuffs Dealers Licensing Order, 1979 as follows, namely: —

1. *Short title and commencement.* — (1) This Order may be called the Goa, Daman and Diu Foodstuffs Dealers Licensing (Amendment) Order, 1985.

It shall come into force at once.

2. *Amendment of Schedule.* — In Schedule II to the Goa, Daman and Diu Foodstuffs Dealers Licensing Order, 1979, for item (iv) the following item shall be substituted, namely: —

"iv) Vacuum Pan Sugar

a) Sugar	In other towns	100	—	—
	with a population of less than one lakh			

b) Khandsari	In other towns	250	—	—
	with a population of less than one lakh			

Provided that no recognised dealer shall hold any stock of vacuum pan sugar or khandsari (open pan sugar) for a period exceeding seven days from the date of receipt by him of such stock of sugar or khandsari.

Provided further that nothing in this Order shall apply to the holding of stocks of sugar: —

i) on Government Account; or

ii) by the recognised dealers nominated by the Government or an officer authorised by it to hold such stock for distribution through fair price shops; or

iii) by the Food Corporation of India."

Provided also that no wholesaler shall sell sugar to another wholesaler more than once and that too if accompanied by physical delivery of stocks only. After the first transaction, it shall be obligatory for a wholesaler to sell sugar to a retailer.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

A. V. Pimenta, Under Secretary (PS&WD).

Panaji, 1st November, 1985.

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Law Department  
Legal Affairs Branch

Notification

LD/1/9/85-(D)

The Payment of Bonus (Amendment) Act, 1985 (Act No. 30 of 1985) which was passed by Parliament and assented to by the President of India on the 22nd May, 1985 and published in the Gazette of India, Extraordinary, Part II, section 1 dated 22-7-1985, is hereby republished for the general information of the public.

B. S. Subbanna, Under Secretary (Drafting) to the Government of Goa, Daman and Diu.

Panaji, 7th October, 1985.

The Payment of Bonus (Amendment) Act, 1985

AN  
ACT

*further to amend the Payment of Bonus Act, 1965.*

Be it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Payment of Bonus (Amendment) Act, 1985.

2. **Omission of section 12.**—Section 12 of the Payment of Bonus Act, 1965 shall be omitted.

Notification

7/21/85-LA

In exercise of the powers conferred by section 11 of the Goa, Daman and Diu Salary, Allowances and Pension of Members of the Legislative Assembly Act, 1964 (Act No. 2 of 1965), the Government of Goa, Daman and Diu hereby makes the following rules, namely:—

1. **Short title and commencement.**—(1) These rules may be called the Goa, Daman and Diu (Payment of Pension to Members of the Legislative Assembly) Rules, 1985.

(2) They shall be deemed to have come into force on the 1st January, 1982.

2. **Definitions.**—In these rules, unless the context otherwise requires:—

(a) “Act” means the Goa, Daman and Diu Salary, Allowances and Pension of Members of the Legislative Assembly Act, 1964 (Act No. 2 of 1965);

(b) “Assembly” means the Goa, Daman and Diu Legislative Assembly;

(c) “Form” means the form appended to these rules;

(d) “pensioner” means a person who is eligible to receive pension under the Act;

(e) “Secretary” means the Secretary to the Goa, Daman and Diu Legislative Assembly.

3. **Sanctioning Authority.**—The Secretary shall be the authority competent to sanction pension to the persons entitled under the Act.

4. **Application.**—Application for the grant of pension under these rules shall be made in triplicate to the Secretary in Form-I. The application shall be accompanied by four copies of the passport size photograph of the person and four copies of his specimen signature duly attested by a Gazetted Officer of the Government of Goa, Daman and Diu.

5. **Sanction of Pension.**—(1) On receipt of the application and on being satisfied about the eligibility of the applicant for the pension in accordance with the provision of section 3B of the Act, the Secretary shall make an order in Form-II, sanctioning the pension and communicate the sanction order to the person concerned, the Directorate of Accounts, Panaji and to the Office of the Joint Director of Audit, Panaji.

(2) If the Secretary is of the opinion that the applicant is not entitled to any pension under the Act, the applicant shall be given an opportunity of being heard before passing any order.

6. **Authorisation for payment of pension.**—(1) On receipt of the order sanctioning pension under rule 5, the Director of Accounts, Panaji, shall prepare a Pension Payment Order and forward the same to the Treasury Officer.

(2) Each Pension Payment Order shall be in two halves of which one known as the disburser's half shall be kept in the Treasury at which payment is to be made, in such a manner that the pensioner shall not have access thereto and the other known as pensioner's half shall be delivered to the pensioner in person when he appears to receive payment of the pension for the first time.

(3) In issuing a Pension Payment Order, the Director of Accounts, Panaji, shall attach to each half of the Order a specimen signature of the pensioner if he can sign his name, or the thumb and finger impressions of the left hand of the pensioner if he cannot sign his name.

(4) A Pensioner shall produce his half of the Pension Payment Order before the Treasury Officer whenever he claims payment of his pension and no payment shall be made unless the same is produced before the Treasury Officer.

(5) Each payment of pension shall be entered in both the halves of the Pension Payment Order, both entries being attested at the time of payment under the signature of the Treasury Officer.

(6) The Treasury Officer shall be responsible for deducting from the pension payment excess amount, if any, resulting from previous overpayment as may be indicated by the Director of Accounts, Panaji.

7. **Certificates.** — A pensioner is required to append to his bills a certificate and declaration as in Form-III.

8. **Change of address.** — It shall be the duty of the pensioner to intimate the change, if any, of his residence, lasting for more than three months to the Secretary.

9. **Date of payment of pension.** — The pension sanctioned under these rules shall be payable from the date specified in the order and it shall not be commuted for a lump-sum. The pension shall become due for payment only on the expiry of the month to which it relates.

10. **Payment of Pension through Public Sector Bank in Union territory of Goa, Daman and Diu.** — A pensioner may choose to draw his pension through Public Sector Bank, if he desires, under the "Scheme for payment of pension for Goa, Government pensioners through Public Sector Banks". However, the crediting of the pension to his account every month will be subject to giving a certificate/declaration in Form-III every month.

11. **Death of pensioner.** — In the event of the death of the pensioner, the amount of pension due till the date of his death, including unpaid arrears, shall be paid to his legal heir(s).

12. **Mistake in the calculation of the pension period.** — A pension sanctioned to any person under these rules is liable to be cancelled or modified if it is found that there has been any error in the valuation of the period of his eligibility for the grant of pension.

13. **Over-payment or irregular payment, etc.** — If any over-payments are made, the amounts so over-paid shall be adjusted in the subsequent payments or recovered as arrears of land revenue and if any irregular payments are made, such payments shall also be adjusted or recovered, as the case may be, in the same manner.

14. **Recovery of dues, if any.** — Dues, if any, towards Trunk Call and Phonogram charges, loss of Library Books or any other dues to the Legislature Department from the pensioner when he was a Member of the Assembly, shall also be recovered from the pension payable to him.

15. **Decision on questions relating to Pension.** — If there is any doubt or disputes as to whether a person is entitled to pension or as to the amount of pension or as to the period for which he shall be entitled to pension or for interpretation of these rules, the matter shall be referred to the Speaker of the Assembly who shall, in consultation with the Government, decide the question and whose decision shall be final.

16. **Miscellaneous.** — Regarding other procedural matters, the rules governing sanction of pension and payment to Government servants under the Central Civil Services Pension Rules, 1972 and the Central Treasury Rules shall apply wherever necessary.

## ANNEXURES

### FORM I

(See rule 4)

Form of application for the grant of pension to Members of the Legislative Assembly of Goa, Daman and Diu.

1. Name of the applicant (In block letters) .....
2. Father's name (Husband's name in the case of married woman applicant) .....
3. Permanent residential address showing village or town and district .....
4. Details of period as Member of the Legislative Assembly of Goa, Daman and Diu — .....
- (a) Elected Member
  - (1) Name of Constituency ... from ... to ...
  - (2) Name of Constituency ... from ... to ...
  - (3) Name of Constituency ... from ... to ...
  - (4) Name of Constituency ... from ... to ...
- (b) Nominated Member.
  - (1) From ... to ...
  - (2) From ... to ...
5. (i) Identification marks of the applicant
  - (1) .....
  - (2) .....
 (ii) Height. ....
6. Whether four copies of the photograph duly attested, are enclosed .....
7. Whether four copies of specimen signature, duly attested are enclosed .....
8. Whether the applicant is employed on a salary under the Central Government or any State Government or any Corporation owned or controlled by the Central Government or any State Government or any local authority or is entitled to any remuneration from such Government, Corporation or local authority and, if so, the amount of such salary or remuneration .....
9. Whether the applicant is entitled to any pension from the Central Government or any State Government or any Corporation owned or controlled by the Central Government or any State Government or any local authority and, if so, the amount of such pension .....
10. Name of the Treasury/Sub-Treasury from which payment of pension is desired to be drawn .....

I certify that all the particulars furnished above are true and correct to the best of my knowledge and belief.

Place ...

Date ...

Signature of the applicant.

To  
The Secretary,  
Legislative Assembly of Goa, Daman and Diu.  
Panaji-Goa.

## FORM II

(See rule 5)

No. \_\_\_\_\_ of 19 \_\_\_\_\_

Reference: From Shri/Smt.  
Application, dated \_\_\_\_\_

Order

Under Section 3B of the Goa, Daman and Diu Salary, Allowances and Pension of Members of the Legislative Assembly Act, 1964 (Act No. 2 of 1965), sanction is hereby accorded to the payment of pension to the Ex-Member of the Legislative Assembly of Rs. \_\_\_\_\_ (Rupees only) per mensem to Shri/Smt. ... residing at ... with effect from ... till death and subject to the rules, as amended from time to time.

2. The pensioner was a Member of the Legislative Assembly of Goa, Daman and Diu —  
from \_\_\_\_\_ to \_\_\_\_\_

3. (i) The identification marks of the pensioner are: —

(1) \_\_\_\_\_ (2) \_\_\_\_\_

(ii) The height of the pensioner is: —

4. The pension is payable by the Director of Accounts, Panaji through Treasury/Public Sector Bank.

5. The expenditure is debitable to "266-Pension and other Retirement Benefits — Other Pension — Pension to Legislators".

6. There are no dues recoverable from the pensioner/There are dues amounting to Rs. ... on account of ... recoverable from the pensioner.

7. This order is liable for cancellation or modification under Rule 12 of the rules.

Secretary

Legislative Assembly of Goa,  
Daman and Diu.To,  
Shri/Smt. \_\_\_\_\_

## FORM III

## Declaration

(To be furnished with the pension bills every month)

1. I declare that —

(i) I am not holding the elected office of the President/Vice President of India or appointed to the Office of the Governor of any State or the Administrator of any Union territory.

(ii) I am not a member of the Council of States of the House of the People or any Legislative Assembly of a State or Union territory or Legislative Council of a State or the Metropolitan Council of Delhi.

Nor, am I employed on a salary under the Central Government or any State Government or any Corporation owned or controlled by the Central Government or any State Government or any local authority or become otherwise entitled to any remuneration from such Government, Corporation, or local authority.

OR

(iii) (a) I am a member of ... or I am employed as ... in ... and the total remuneration received by me as being such member or being in such employment is Rs. ...

(b) I am in receipt of pension of Rs. ... from ...

(iv) I am not in receipt of any pension from the Central Government or State Government or any Corporation owned or controlled by the Central Government or any State Government or any local Authority.

(v) In case of any over-payment resulting from clerical errors or due to lack of information regarding recovery of Government dues, such over-payment may be recovered from the amount of pension due to me in such manner as the Government may deem fit and proper.

Date ...

Pensioner's Signature ...

Place ...

Pensioner's name ...

\* Here mention the name of the Office of the Central Government/State Government/Corporation/Local Authority.

By Order and in the name of the Administrator of Goa, Daman and Diu.

B. S. Subbanna, Under Secretary (Drafting).

Panaji, 4th November, 1985.

## Notification

7/10/85-L. A.,

The following Act which was passed by the Legislative Assembly of Goa, Daman and Diu on the 5th day of August, 1985 and assented to by the Administrator of Goa, Daman and Diu on 31-10-1985 is hereby published for the general information of the public.

B. S. Subbanna, Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 7th November, 1985.

The Goa, Daman and Diu Land Revenue Code (Amendment) Act, 1985

(Act No. 23 of 1985)

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ACT

further to amend the Goa, Daman and Diu Land Revenue Code, 1968.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Thirty-sixth Year of the Republic of India as follows: —

1. Short title and commencement. — (1) This Act may be called the Goa, Daman and Diu Land Revenue Code (Amendment) Act, 1985.

(2) It shall come into force at once.

2. Insertion of new section 164A. — After section 164 in Chapter X of the Land Revenue Code, 1968 (9 of 1969), the following section shall be inserted, namely: —

"164A. Recovery of charges in respect of supply of electrical energy. — Any person who fails to pay, on demand, any charge for electrical energy or any other sum, due from him to the Government in respect of the supply of electrical energy to him, shall be liable to be proceeded against under

the provisions of this Code as a revenue defaulter; and all the foregoing provisions of this Chapter shall, so far as may be, applicable to such person”.

Secretariat,  
Panaji-Goa.  
7th November, 1985.

**M. RAGHUCHANDER**  
Law Secretary to the Government  
of Goa, Daman and Diu,  
Law Department (Legal Affairs  
Branch).

Establishment Branch

Office of the Chief Electoral Officer

### Notification

3-4-79/ELEC/Vol. I

The following Notification No. 56/84-XV dated 30th September, 1985 issued by the Election Commission of India, New Delhi is hereby published for general information.

*M. Raghuchandar*, Addl. Chief Electoral Officer.

Panaji, 16th October, 1985.

### Election Commission of India

*New Delhi, Dated the 30th September, 1985*  
*Asvina 8, 1907 (Saka)*

### Notification

S. O. — Whereas the Election Commission of India has considered the application of Pondicherry Maanila Makkal Munnani for registration of that association under paragraph 3 of the Election Symbols (Reservation and Allotment) Order, 1968, as a political party, and the documents produced in support of the prayer contained in the said application, and has decided to register that association under the name and style of 'Pondicherry Maanila Makkal Munnani as an un-recognised political party in respect of the

Union Territory of Pondicherry under the provisions of paragraph 3 of the said Symbols Order, subject to the following conditions: —

(i) The party shall communicate to the Commission without delay any change in its name, head office, office bearers and their address, political principles, policies, aims and objectives and any change in any other material matters;

(ii) The party shall intimate the Commission immediately whenever any amendments are issued to party constitution along with the relevant documents like the notice for the meeting to consider amendments, agenda for the meeting, minutes of the meeting where the amendments have been carried;

(iii) The party shall maintain all the records like minutes books, accounts books, membership registers, receipt books etc. properly;

(iv) The said records shall be open for inspection at any time by the authorised representative(s) of the Commission; and

(v) The registration granted shall be reviewed by the Commission from time to time.

Now, therefore, in pursuance of the provisions contained in clause (c) of sub-para (1) and sub-para (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission of India hereby makes the following amendment to its notification No. 56/84-I, dated the 13th November, 1984, and as amended from time to time: —

In Table 3 appended to the said notification, under columns 1 and 2 after the entry “13. Jammu and Kashmir Panthers Party — Jammu and Kashmir”, the entry “14. Pondicherry Maanila Makkal Munnani — Pondicherry” shall be inserted.

[No. 56/84-XV]

By Order,  
(R. P. BHALLA)  
Secretary